

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MONTEZ LAMAR FULLER,

Defendant.

CRIMINAL NO. 06-30117-GPM

ORDER

PROUD, Magistrate Judge:

This matter comes before the court on defendant's Oral Motion to Appoint New Counsel. (Doc. 131).

Defendant appeared in court on April 17, 2007, with his appointed attorney, Robert Herman, for arraignment. Defendant personally informed the court that he was dissatisfied with Mr. Herman's representation, and he requested that a different attorney be appointed to represent him. Defendant tendered to the court a manila envelope which contained some hand-written documents prepared by him.

The court has reviewed the materials in the envelope *in camera*, and is convinced that the relationship between Mr. Herman and defendant has broken down such that substitute counsel should be appointed. The court does *not* find that Mr. Herman has acted inappropriately or has been ineffective in his representation of defendant. It simply appears that the relationship has deteriorated.

The contents of defendant's envelope will not be entered into the record, but will be maintained in the undersigned's chambers, to be given to defendant's new attorney.

Upon consideration and for good cause shown, defendant's Oral Motion to Appoint New Counsel (**Doc. 131**) is **GRANTED**.

Robert Herman is granted leave to withdraw as counsel for defendant.

The court hereby orders the appointment of another CJA panel attorney to represent defendant Montez Lamar Fuller.

IT IS SO ORDERED.

DATE: April 19, 2007.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE